

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT CHARLOTTESVILLE, VA

FILED
for Danville
AUG 29 2005

JOHN F. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

MARY GILMORE,

) CASE NO. 4:05CV00004

Plaintiff

)

v.

) REPORT AND RECOMMENDATION

JO ANNE B. BARNHART
Commissioner of Social Security,

) By: B. Waugh Crigler
U. S. Magistrate Judge

Defendant

)

It appearing that the defendant has no objection to plaintiff's "Motion for Extension of Time," and counsel for defendant having acknowledged that such extension of time would render moot the Commissioner's Motion to Dismiss, it is

R E C O M M E N D E D

that the presiding District Judge enter an Order granting the plaintiff's "Motion for Extension of Time" and dismissing, as moot, the Commissioner's Motion to Dismiss.

The Clerk is directed to immediately transmit the record in this case to the Hon. Jackson L. Kiser, Senior, United States District Judge. Both sides are reminded that pursuant to Rule 72(b) they are entitled to note objections, if any they may have, to this Report and Recommendation within (10) days hereof. Any adjudication of fact or conclusion of law rendered herein by the undersigned not specifically objected to within the period prescribed by

law may become conclusive upon the parties. Failure to file specific objections pursuant to 28 U.S.C. § 636(b)(1)(C) as to factual recitations or findings as well as to the conclusions reached by the undersigned may be construed by any reviewing court as a waiver of such objection. The Clerk is directed to send a certified copy of this Report and Recommendation to all counsel of record.

ENTERED:

Judge

Date